

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:09-CR-177
vs.)	
)	
MICHELLE CULVER)	JUDGE COLLIER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on October 13, 2011, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision (Petition) of Supervising U.S. Probation Officer Elizabeth Miller and the Warrant for Arrest issued by Chief U.S. District Judge Curtis L. Collier. Those present for the hearing included:

- (1) AUSA John Macoon for the USA.
- (2) The defendant Michelle Culver.
- (3) Supervising USPO Beth Miller.
- (4) Attorney Tony Martinez for defendant.
- (5) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of her privilege against self-incrimination accorded her under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and she qualified for the appointment of an attorney to represent her at government expense. Attorney Tony Martinez of Federal Defender Services was APPOINTED to represent the defendant. It was determined the defendant had been provided with a copy of the Petition and the Warrant for Arrest and had the opportunity of reviewing those documents with Atty. Martinez. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents she had been provided.

AUSA Macoon called Supervising USPO Beth Miller as a witness and moved that the defendant be detained pending the revocation hearing.

Findings

- (1) Based upon Supervising USPO Miller's testimony, the undersigned finds there is probable cause to believe defendant has committed violations of her conditions of

supervised release as alleged or set forth in the Petition.

Conclusions

It is ORDERED:

(1) This hearing be continued until **Wednesday, October 19, 2011, at 2:30 pm**, and defendant shall remain on supervised release pending the continued hearing.

ENTER.

s/William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE